

**TOWN OF ELSMERE  
BOARD OF ADJUSTMENTS  
MEETING MINUTES  
August 27, 2013  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE:**

**CALL TO ORDER:**

**ROLL CALL:**

Board Member Patricia Boyd – Present  
Board Member Ron Russo – Present  
Board Member John Smith – Present  
Board Member John Acton – Absent  
Chairman James Personti – Present

**APPROVAL OF MINUTES:**

Minutes from the July 23, 2013 Board of Adjustment Meeting

**ACTION:** A motion was made by Board Member Smith to approve the Minutes from the July 23, 2013 Board of Adjustment Meeting. The motion was seconded by Board Member Russo.

**VOTE:**           All in favor with 1 Absent                           Motion Carried

**OLD BUSINESS:**

None

**NEW BUSINESS:**

Review Petition 13-06 Tax Parcel # 1900-900-012

Laszlo Bruck introduced himself as the owner of the proposed auto-repair business. He stated it would be a one-bay garage and would only be doing small jobs there such as changing oil, tires, brakes, and radiators. He also stated there would be no storage of junk vehicles.

Board Member Boyd asked if he was going to have any lifts at the business.

Mr. Bruck stated there was one.

Board Member Boyd then asked what kind of volume Mr. Bruck is expecting at his proposed business.

Mr. Bruck said maybe 4 or 5 cars per day.

Board Member Boyd asked where Mr. Bruck proposed to park the vehicles he was to work on.

Mr. Bruck said he would have about 5 parking spaces.

Chairman Personti asked if he were planning on having much oil or other chemicals stored at the property.

Mr. Bruck stated he would have no more than a case of oil to put in the cars and the waste oil in drums at the back of the property in a fenced-in area.

Board Member Boyd asked what the building was currently being used as.

Mr. Bruck said it was being used as an auto-repair business, as is the business next door in the same building, which is Eurotech.

Board Member Smith asked what Mr. Bruck would have to comply with due to being in the flood plain.

Town Manager Giles stated that any vehicles that were on the property would have to be operable in order to be moved in the event of a flood, and that any hazardous materials must be stored above a certain elevation.

Town Manager Giles then spoke for the Code Enforcement Office stating the lot is a legal non-conforming lot and that the request will not increase the level of non-conformity. He also said there was no proposed construction at the property, that the proposed use is a Special Exception allowed by the Code in that zone, and that the applicant is aware that he must comply with the flood plain regulations. He went on to say that based on those things, the Code Office recommends approval of the application.

**ACTION:** A motion was made by Board Member Smith to approve Petition 13-06 so long as the applicant complies with the flood plain regulations. Board Member Boyd seconded the motion.

**VOTE:** All in favor with 1 Absent

Motion Carried

**ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:**

None

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

**ACTION:** A motion was made by Chairman Personti to adjourn. The motion was seconded by Board Member Russo.

**VOTE:** All in favor with 1 Absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the August 27, 2013 Board of Adjustment Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

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**JAMES PERSONTI, CHAIRMAN**

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**PATTY BOYD, SECRETARY**